



House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

PROOF OF INSURANCE CITATIONS

House Bill 5355
Sponsor: Rep. Gloria Schermesser
Committee: Transportation

Complete to 2-18-00

A SUMMARY OF HOUSE BILL 5355 AS INTRODUCED 2-15-00

Under current law, motor vehicles operated on the state's highways must be insured, and a driver who fails to produce evidence of insurance (what is generally called a vehicle's certificate of insurance) is responsible for a civil infraction. When this provision of the law is violated, a court is required to assess a fine and costs, and also to assess a fee of \$25. Also under current law, if the court requires the driver to surrender the license, the license is destroyed, the court forwards an abstract of the court record to the secretary of state, and the secretary of state is ordered to suspend the license. A driver who subsequently submits proof of insurance to the secretary of state must pay a \$25 service fee to the secretary of state, but is not required to pay a replacement license fee.

House Bill 5355 would amend the Michigan Vehicle Code to specify that if a person received a citation for failure to provide evidence that a motor vehicle was insured, a court would be required to waive any civil fine, costs, or fees that had been imposed under two conditions: a) if the person presented to the court the vehicle's certificate of insurance before the appearance date on the citation, and b) if the certificate of insurance presented to the court had been in effect at the time of the citation.

House Bill 5355 further specifies that if a driver of a motor vehicle is determined to be responsible for a violation of this provision, or of a local ordinance substantially corresponding to this provision, the court would be required to credit the \$25 fee to the general fund of the local funding unit or to the general fund of the city funding a municipal court. Currently the law specifies only that the fine be assessed.

Finally, the bill specifies that if a driver is determined to be responsible for a violation of this provision, or of a local ordinance substantially corresponding to this provision, the court in which the civil infraction is entered must notify the secretary of state of the vehicle registration number, and the year and make of the vehicle, unless the civil fine and costs had been waived by the court because the person, before the appearance date on the citation, presented to the court an acceptable certificate of insurance, and the certificate showed that the insurance had been in force at the time of the citation.

MCL 257.328 and 257.907

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.